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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 11, 2000

APPLICATION OF

ENERGYWINDOW, INC.

CASE NO. PUE000410

For a license to conduct
business as an aggregator
in electric retail access
pilot programs

ORDER FOR NOTICE AND COMMENT

On August 2, 2000, EnergyWindow, Inc. ("EnergyWindow" or "Applicant"), filed an application for licensure to conduct business as an aggregator in electric retail access pilot programs. EnergyWindow proposes to operate an Internet auction venue on which power consumers could post requirements. Licensed suppliers would bid to supply the required power. The Applicant would then notify the consumer and the winning supplier who would then negotiate a contract. The application states that EnergyWindow intends to charge a fee for the use of its Internet site when a winning seller is identified. The Applicant intends to serve eligible customers participating in the retail access pilot programs of Virginia Electric and Power Company (Virginia Power), Appalachian Power Company (AEP-Virginia), and Rappahannock Electric Cooperative.

NOW UPON CONSIDERATION of the captioned application, the Commission is of the opinion that EnergyWindow's application should be docketed; that the Applicant should give appropriate notice of its application; and that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff report.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUE000410.

(2) A copy of WindowEnergy's application and supporting documents shall be made available for public inspection in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5:00 p.m., or can be ordered from WindowEnergy's counsel, Kenneth G. Hurwitz, Esquire, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., Suite 1000, Washington, D.C. 20005-3917.

(3) Any interested person may request a copy of the application, accompanying materials, and this Order by directing a request for the same in writing to Kenneth G. Hurwitz, at the address set forth above. The Applicant shall, within three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(4) On or before August 18, 2000, WindowEnergy shall complete publication of the following notice to be published on

one (1) occasion as classified advertising in newspapers of general circulation within the geographical areas approved by the Commission for each pilot program in which the Applicant seeks to participate:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
ENERGYWINDOW, INC., TO CONDUCT BUSINESS
AS AN AGGREGATOR IN ELECTRIC
RETAIL ACCESS PILOT PROGRAMS
CASE NO. PUE000410

On August 2, 2000, EnergyWindow, Inc. ("EnergyWindow" or "Applicant"), filed an application with the State Corporation Commission for a license to conduct business as an aggregator in electric retail access pilot programs. EnergyWindow states that it intends to operate an Internet auction venue to serve eligible customers in the retail access pilot programs of Virginia Electric and Power Company (Virginia Power), Appalachian Power Company (AEP-Virginia), and Rappahannock Electric Cooperative.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from Kenneth G. Hurwitz, Esquire, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., Suite 1000, Washington, D.C. 20005-3917.

Any person desiring to comment in writing on EnergyWindow's application may do so by directing an original and five (5) copies of such comments on or before August 28, 2000, to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Comments must refer to Case

No. PUE000410. A copy of such comments simultaneously shall be sent to Applicant's counsel, Kenneth G. Hurwitz, Esquire, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., Suite 1000, Washington, D.C. 20005-3917.

ENERGYWINDOWS, INC.

(5) Any person desiring to comment in writing on EnergyWindow's application may do so by directing an original and five (5) copies of such comments on or before August 28, 2000, to the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Comments must refer to Case No. PUE000410. A copy of any such comments also must simultaneously be served by first-class mail, or hand-delivered, to counsel for Applicant, Kenneth G. Hurwitz, Esquire, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., Suite 1000, Washington, D.C. 20005-3917.

(6) The Commission Staff shall analyze the reasonableness of EnergyWindow's application and shall present its findings in a Staff report to be filed on or before September 6, 2000.

(7) On or before September 12, 2000, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any response it may have to the Staff report and any comments that have been filed, and shall serve a copy of its response on counsel for the Commission Staff and any person(s)

submitting comments. Service shall be by such method that ensures that the response is received by September 12, 2000.

(8) Due to the time-sensitive nature of this proceeding, the Applicant shall respond to written interrogatories or data requests within three (3) business days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall be in accordance with Part VI of the Commission's Rules of Practice and Procedure, 5 VAC 5-10-450 to -510.

(9) On or before August 31, 2000, the Applicant shall file with the Clerk of the Commission proof of the notice required in Ordering paragraph (4).

(10) This matter is continued generally.